IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 22112 of 2007(G)

PETITIONER:

CHINNAMMA K.D.,
LOWER GRADE HINDI PANDIT (PART TIME),
ST.MICHAEL'S UPS, RANDAR, MUVATTUPUZHA.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI

RESPONDENTS:

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1. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
TRIVANDRUM.

2. THE ASSISTANT EDUCATIONAL OFFICER,
KALLOORKKAD.

3. THE ASSISTANT EDUCATIONAL OFFICER,
THODUPUZHA.

4. THE CORPORATE MANAGER,
CORPORATE EDUCATIONAL AGENCY,
DIOCESE OF KOTHAMANGALAM,
KOTHAMANGALAM.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.22112 OF 2007

Dated this the 18th day of July, 2007

JUDGMENT

Petitioner is now stated to be working as Lower Grade Hindi Pandit (Part-time) in the school under the management of respondent no.4. It is the contention of the petitioner that her earlier appointments for two short spells were approved as could be seen from Exts.P1 and P2. But the proposal for approval of her appointment with effect from July 15, 2002 as per Ext.P5 was rejected. It is on record that the Director of Public Instruction who had considered the matter on an earlier occasion, had remitted back the issue to respondent no.2 for fresh consideration. But still, the Controlling Officer passed Ext.P7 order declining the request for approval.

2. Learned counsel submits that the Manager has preferred Ext.P9 revision petition before respondent no.1 against Ext.P7 order passed by the controlling officer. Limited prayer is to issue an appropriate direction to respondent no.1 to take a decision on Ext.P9 and while doing so, to give the petitioner also

an opportunity to be heard. There is a further prayer to issue a direction to respondent no.1 keep in view Ext.P8 order issued by Government while taking the decision in the matter.

3. In the above facts and circumstances, writ petition is disposed of with a direction to respondent no.1 to consider and pass orders on Ext.P9 strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment. Petitioner and the manager shall be afforded sufficient opportunity to be heard before any decision is taken in the matter. While taking decision, respondent no.1 shall keep in view Ext.P8 order of the Government. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.1 for compliance.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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